

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS, *et al.*

Plaintiffs,

v.

GREG ABBOTT, *et al.*,

Defendants.

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Case No. 3:21-cv-00259
[Lead Case]

DECLARATION OF SEAN TRENDE

I, Sean Trende, am over the age of eighteen and am fully competent to make this declaration. I submit this declaration in support of Defendant State of Texas' Response in Opposition to the LULAC Plaintiffs' Motion to Reopen Discovery for the Limited Purpose of Seeking Specific Documents from Dave's Redistricting, LLC (ECF 617). I have personal knowledge of the facts stated herein and declare the following to be true and correct:

1. I have been retained as an expert witness by the State Defendants in this matter. In that capacity, I prepared an expert report. Upon completion of my report, I provided my report to counsel for State Defendants. I also provided them all materials that I relied on in preparing my expert report. This included all facts or data that I considered when forming the opinions expressed in my report. I was deposed in my expert capacity on September 2, 2022.
2. My understanding is that LULAC is seeking maps reflecting lines for Texas congressional districts, which were referenced in tweets that were introduced as Exhibit No. 10 in my deposition. I conducted a thorough and diligent review for these maps. But I was not able to locate or identify the maps referenced in the tweet. The maps referenced in the tweet do not appear in my personal files or in my folders on Dave's Redistricting App.

3. Furthermore, as I explained in my deposition, these lines would have only been drawn for my entertainment, and not for any professional reasons. Accordingly, I would not have made any special efforts to retain any such map. The map referenced in the tweet may have been saved over, may have been deleted. The tweet predated the 2020 Census results, which were not released until April 26, 2021, according to the Census Bureau's press release. *See 2020 Census Apportionment Results Delivered to the President*, U.S. CENSUS BUREAU (Apr. 26, 2021), <https://www.census.gov/newsroom/press-releases/2021/2020-census-apportionment-results.html>. Therefore, the tweet reflects merely my speculation based upon an earlier map drawn for the 39-seat configuration Texas was previously expected to be awarded. I do not recall the context of this tweet among the thousands I have sent in the past two years. In any event, the map referenced in my tweet was not among the facts or data I considered in forming the opinions I in my expert report.
4. It is also my understanding that LULAC is seeking five Texas maps connected to my Dave's Redistricting App account that were initially thought to have been created on or after July 1, 2022. As a user of Dave's Redistricting App, I do not have the ability to see map-creation dates. But it is my understanding that Dave's Redistricting, LLC ("Dave's") does have that ability. From my discussion with Dave's, there are no Texas maps connected to my account that were created on or after July 1, 2022, and I have no reason not to believe Dave's. Any such maps that pre-date July 1, 2022 would have been provided to State Defendants if they helped me form the opinions I expressed in my report. Thus, any such maps are unconnected to my work as an expert witness in this matter and are therefore unrelated to the opinions that I have expressed in my report. Nor would they constitute any of the facts or data that I considered when forming the opinions expressed in my report since I have already provided all such materials.

I declare under penalty of perjury under the laws of the United States of America that to the best of my personal knowledge, the foregoing is true and correct.

Executed on October 21, 2022, in Columbus, Ohio.

/s/ Sean Trende

SEAN TRENDÉ